

United States Government

Department of Energy
Bonneville Power Administration

memorandum

DATE: March 26, 2004

REPLY TO
ATTN OF: KEC-4

SUBJECT: Supplement Analysis for the Watershed Management Program EIS (DOE/EIS-0265/SA-138)

to: Dorthy Welch
Fish and Wildlife Project Manager, KEWU-4

Proposed Action: Duck Valley Reservoirs Fisheries and Operations & Maintenance

Project No: 1995-015-06

Watershed Management Techniques or Actions Addressed Under This Supplement Analysis (See App. A of the Watershed Management Program EIS): 1.8 Bank Protection through Vegetation Management, 2.1 Maintain Healthy Riparian Plant Communities, 2.7 Avoid Exotic Species, 2.11 Hand Pulling, 3.29 Herbicide/Pesticide Application, 6.10 Access: Fencing, 10.4 Outdoors Education Programs

Location: Duck Valley Indian Reservation, Lake Billy Shaw Reservoir vicinity in Elko County, Nevada

Proposed by: Bonneville Power Administration (BPA) and the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation

Description of the Proposed Action: The Lake Billy Shaw (LBS) Project, including the dam, reservoir, and associated structures, was constructed in 1998. The goal of this project was to provide a sustenance fishery for the Shoshone-Paiute tribal members as partial mitigation for the loss of anadromous fish on the Duck Valley Indian Reservation (DVIR). The fishery provides additional fishing opportunities for members of the Shoshone-Paiute Tribes and also provides a recreational and sport fishery for the general public, providing revenue for the Tribe.

The LBS Reservoir shoreline and inlet stream habitat will be protected from degradation and erosion by:

- Maintaining enclosure fencing, gates and cattleguards, maintaining off-site livestock watering ponds and troughs, and monitoring and removing livestock as needed.
- Native plants will be planted, including trees, willows, and rushes, along shorelines, the canal and adjacent streams and the plantings will be maintained and monitored.
- Non-native vegetation will be removed and destroyed along the LBS Shoreline, mainly tamarisk, by hand pulling and cutting and painting stumps with herbicides
- Aquatic exotics within LBS and the associated canals will be identified and a method of removal/control devised which may include treating with approved herbicides

All project activities will occur within the DVIR boundaries, which encompasses approximately 289,820 tribally owned acres equally straddling the Idaho and Nevada border. There are approximately 1,800 enrolled Tribal members. The DVIR is in both the Bruneau and Owyhee subbasins of the Middle Snake Province.

Analysis: The compliance checklist for this project was completed by Mattie Allen, Deputy Director of the Shoshone-Paiute Tribes' Fish, Wildlife and Parks Department and signed on March 16, 2004. The project meets the standards and guidelines for the Watershed Management Program Environmental Impact Statement (EIS) and Record of Decision (ROD).

There are no Endangered Species Act (ESA) listed species in the general vicinity of the proposed project. Pursuant to its obligations under the Endangered Species Act (ESA), BPA requested a list of listed and proposed species with the potential to occur in the project area from the U.S. Fish and Wildlife Service offices in both Nevada and Idaho. An e-mail from the Idaho Snake River Fish and Wildlife Office (dated November 10, 2003) and a letter from the Nevada Fish and Wildlife Office (dated December 3, 2003) both state that no listed or proposed species or critical habitat are within the project area (attached). There are no anadromous fish species in the project area because downstream dams block fish passage. Therefore, BPA made a determination of No Effect for ESA-listed species.

A cultural resource review of the portions of the proposed project site that will be subject to ground disturbance (vegetation planting areas) will be completed prior to implementation of those activities. This review will include a literature search and a field survey by a qualified cultural resource specialist. The project area is located on land that has been previously disturbed. BPA will consult with the state Nevada SHPO office and the Shoshone-Paiute Tribal Cultural Resources Director and determine if the project will have an effect on cultural or historic resources. If cultural deposits are found during any phase of the proposed project or if the nature of the undertaking changes, a cultural resource specialist and the BPA archeologist will be contacted immediately.

Standard protection measures for activities in or near streams and wetlands will be followed during the implementation of the Duck Valley Fisheries and O&M Project. The necessary permit approvals for this project have either been obtained or are in process. No construction will be authorized to begin until the applicant has obtained all required permits and approvals.

Public involvement has taken place as part of the Duck Valley Fisheries and O&M project. The project will be implemented on Tribal land by Tribal members. Public involvement has taken place through general informational sources including public meetings, newspaper articles (Sho-Pai News, El-Wyhee News, and Idaho Statesman), a video production for Kid Outdoors (aired twice on a cable channel), radio and television press releases, mailings to our fishing permit vendors, a free fishing hotline, pamphlets and brochures, and existing signs at LBS Reservoir. The Shoshone-Paiute Tribes' Fish, Wildlife and Parks Department updates Tribal Government on their projects by participating in Tribal Council Meetings and writing monthly reports for Tribal Administration and Council. We also involve the schools and youth by mentoring several youth workers, by teaching science education classes at the reservoirs, and by working with the local Boy Scouts troop (macroinvertebrate classes; fish identification workshops; painting interpretive signs for the Lake Billy Shaw Reservoir).

Findings: The project is generally consistent with the Northwest Power Planning Council's Fish and Wildlife Program, as well as BPA's Watershed Management Program EIS (DOE/EIS-0265) and ROD. This Supplement Analysis finds that: 1) implementing the proposed action will not result in any substantial changes to the Watershed Management Program that are relevant to environmental concerns; and 2) there are no significant new circumstances or information relevant to environmental concerns and bearing on the Watershed Management Program or its impacts. Therefore, no further NEPA documentation is required.

/s/ Kimberly R. St. Hilaire

Kimberly R. St. Hilaire
Environmental Protection Specialist

CONCUR:

/s/ Robert Beraud for

Thomas C. McKinney
NEPA Compliance Officer

DATE: March 26, 2004

Attachments:

NEPA Compliance Checklist for Watershed Management Projects

USFWS Species Letter, Nevada Fish and Wildlife Office, December 3, 2003

E-mail from USFWS on Species List, Snake River Fish and Wildlife Office, November 10, 2003

cc: (w/ attachments)

Ms. Mattie Allen, Deputy Director/Senior Biologist, Shoshone-Paiute Tribes, Fish, Wildlife and Parks Department

Mr. Guy Dodson, Sr.; Director of Fish, Wildlife and Parks Department, Shoshone-Paiute Tribes, Duck Valley Indian Reservation